

McMANIMON, SCOTLAND & BAUMANN, LLC

75 Livingston Avenue, Suite 201

Roseland, New Jersey 07068

(973) 622-1800

Sam Della Fera, Jr., Esq. (sdellafera@msbnj.com)

Joshua H. Raymond, Esq. (jraymond@msbnj.com)

*Attorneys for Official Committee of Unsecured
Creditors of Hollister Construction Services, LLC*

In re:

HOLLISTER CONSTRUCTION SERVICES,
LLC,

Debtor.

Chapter 11

Case No. 19-27439 (MBK)

**MONTHLY FEE STATEMENT OF McMANIMON, SCOTLAND & BAUMANN, LLC,
ATTORNEYS FOR THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS
OF HOLLISTER CONSTRUCTION SERVICES, LLC, FOR THE PERIOD
APRIL 1, 2020 THROUGH APRIL 30, 2020**

McMANIMON, SCOTLAND & BAUMANN, LLC

*Attorneys for Official Committee of Unsecured
Creditors of Hollister Construction Services, LLC*

By: /s/ Sam Della Fera, Jr.
Sam Della Fera, Jr.



McMANIMON • SCOTLAND • BAUMANN

75 Livingston Avenue, Roseland, NJ 07068 (973) 622-1800

Creditors' Committee - Hollister
Construction Services, LLC

CLIENT # 00016030-00001
INVOICE # 171615
INVOICE DATE: May 20, 2020

BILLING REF: SDF

INVOICE SUMMARY

For professional services rendered through 04/30/20, in connection with the matter titled:

Committee Representation

| | |
|------------------------------|-----------------|
| TOTAL FEES | 17735.00 |
| TOTAL DISBURSEMENTS ADVANCED | 241.30 |
| TOTAL FOR INVOICE | <u>17976.30</u> |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 2

PROFESSIONAL SERVICES RENDERED

| DATE | ATTY | DESCRIPTION | HOURS | AMOUNT |
|----------|------|---|-------|--------|
| 04/01/20 | SDF | E-mail and telephone call with K. Rosen regarding Katz analysis and settlement issues. | .40 | 190.00 |
| 04/01/20 | SDF | Settlement conference call with court, B. Katz and counsel for Debtor, PNC Bank and Arch. | .40 | 190.00 |
| 04/01/20 | SDF | Telephone call with A. Calascibetta regarding settlement conference post-mortem and next steps. | .40 | 190.00 |
| 04/01/20 | SDF | Review filed order extending Debtor's deadline to assume/reject leases. | .20 | 95.00 |
| 04/01/20 | SDF | Review filed order extending Debtor's plan exclusivity periods. | .20 | 95.00 |
| 04/01/20 | SDF | Review certification of no objection to firm's February 2020 monthly fee statement. | .20 | 95.00 |
| 04/02/20 | SDF | Telephonic appearance at Bankruptcy Court hearing. | .20 | 95.00 |
| 04/02/20 | SDF | Review filed order extending Debtor's deadline to remove actions. | .20 | 95.00 |
| 04/02/20 | SDF | Review March fee invoice of ordinary course professional Hedinger & Lawless. | .20 | 95.00 |
| 04/02/20 | SDF | Review filed order approving Debtor's settlement with Interlink Transport (MSC). | .20 | 95.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 3

| | | | | |
|----------|-----|--|-----|--------|
| 04/02/20 | SBP | Update chart with motions and applications | .20 | 55.00 |
| 04/02/20 | LD | Prepare and e-file certificate of no objection to MSB's February 2020 monthly fee statement. | .20 | 25.00 |
| 04/03/20 | SDF | Review withdrawal of claim filed by Boyd Mechanical. | .10 | 47.50 |
| 04/03/20 | SDF | E-mails with Committee regarding case status and call next week. | .60 | 285.00 |
| 04/03/20 | SDF | E-mails with M. Seymour regarding Lifetown project settlement. | .20 | 95.00 |
| 04/07/20 | SDF | Review filed March 2020 monthly staffing report of 10X CEO Coaching. | .30 | 142.50 |
| 04/07/20 | SDF | Telephone call to B. Katz regarding status of updated analysis of insider claims and settlement recommendation, and related matters. | .20 | 95.00 |
| 04/07/20 | SDF | Telephone call to K., Rosen regarding case status, negotiations with PNC Bank, Arch and insiders, and other pending matters. | .30 | 142.50 |
| 04/07/20 | SDF | Telephone call with Committee regarding case status, Katz analysis of insider claims, and other pending matters. | .90 | 427.50 |
| 04/07/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/07/20 | SDF | Telephone calls with EisnerAmper regarding status of settlement. | .80 | 380.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 4

| | | | | |
|----------|-----|---|-----|--------|
| 04/07/20 | SDF | Review Debtor's filed application to retain Stark & Stark as special counsel; e-mails with Debtor's counsel regarding same. | .40 | 190.00 |
| 04/07/20 | JHR | Committee conference call to discuss status of possible recoveries, Judge request Plan to be filed. | .90 | 427.50 |
| 04/08/20 | JHR | Reviewed and revised minutes to conference call with committee members. Distributed same to all committee members. | .60 | 285.00 |
| 04/08/20 | SDF | Review and revise minutes of yesterday's Committee call; e-mails with J. Raymond regarding same. | .30 | 142.50 |
| 04/08/20 | SDF | Follow-up call with B. Katz regarding Committee questions and call; e-mails with Committee regarding same. | .40 | 190.00 |
| 04/08/20 | SDF | Review e-mail from Debtor's counsel regarding exploration of claims against Debtor's auditors/accountants; e-mail and call with A. Calascibetta regarding same. | .30 | 142.50 |
| 04/08/20 | SDF | Telephone call to R. Nies regarding Arch claim and related matters. | .20 | 95.00 |
| 04/09/20 | SDF | E-mails with Committee regarding questions for B. Katz regarding analysis of claims against insiders. | .40 | 190.00 |
| 04/10/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/13/20 | SBP | Update chart with motions and applications | .10 | 27.50 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 5

| | | | | |
|----------|-----|---|-----|--------|
| 04/13/20 | SDF | Review and reply to e-mail from R. Nies regarding Debtor's motion to sell stock in Target Technologies and guaranties of PNC Bank debt by Debtor's principal. | .60 | 285.00 |
| 04/13/20 | SDF | Review Debtor's motion to approve private sale of stock in On Target Technologies. | .40 | 190.00 |
| 04/13/20 | SDF | Review Debtor's notice of private sale of stock in On Target Technologies. | .20 | 95.00 |
| 04/13/20 | SDF | Review supplemental certification of J. Lemkin in support of Debtor's retention of special counsel Stark & Stark. | .20 | 95.00 |
| 04/13/20 | SDF | Telephone call to K. Rosen regarding impact of state shutdown on construction projects on Debtor's business and cash collateral. | .20 | 95.00 |
| 04/13/20 | SDF | Send e-mail to EIsnerAmper regarding debtor's proposed sale of stock and valuation. | .20 | 95.00 |
| 04/14/20 | SDF | Telephone call from A. Calascibetta regarding call with Committee today, Debtor's motion to sell stock, and other pending matters. | .30 | 142.50 |
| 04/14/20 | SDF | Review court's determination of adjournment of Herc Rentals' motion for payment of administrative expense claim. | .10 | 47.50 |
| 04/14/20 | SDF | E-mails and call with B. Katz regarding call with Committee. | .20 | 95.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 6

| | | | | |
|----------|-----|---|------|--------|
| 04/14/20 | SDF | Conference call with Committee, EisnerAmper and B. Katz. | 1.30 | 617.50 |
| 04/14/20 | SDF | Review filed order granting pro hac vice admission to counsel for Interlink Transport (MSC). | .10 | 47.50 |
| 04/14/20 | SDF | Confer with J. Raymond regarding Committee call with B. Katz and next steps. | .20 | 95.00 |
| 04/14/20 | JHR | Committee conference call with B. Katz re potential claims against insiders and potential recovery. | 1.40 | 665.00 |
| 04/14/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/15/20 | SBP | Update chart with motions and applications | .20 | 55.00 |
| 04/15/20 | LD | Set up telephonic court appearances for S. Della Fera for 4/16/20 and 4/23/20 hearings. | .10 | 12.50 |
| 04/15/20 | SDF | Review court's notices of adjournment of hearing on Debtor's motion to reject Cellco contract, Newark Warehouse's remand motion and Mix-On-Site's stay relief motion. | .20 | 95.00 |
| 04/15/20 | SDF | Review e-mail from chambers regarding new time for tomorrow's hearing. | .10 | 47.50 |
| 04/15/20 | SDF | Telephone call with EisnerAmper regarding Committee call post-mortem and next steps. | .60 | 285.00 |
| 04/15/20 | SDF | Review Debtor's filed agenda for hearing tomorrow. | .20 | 95.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 7

| | | | | |
|----------|-----|--|-----|--------|
| 04/16/20 | SDF | Telephone call from L. Bielskie regarding hearing today and status of Committee settlement negotiations. | .20 | 95.00 |
| 04/16/20 | SDF | Attend telephonic hearing on Lifetown settlement motion. | .80 | 380.00 |
| 04/16/20 | SDF | Review e-mail from Prime Clerk to Debtor regarding invoices for services through March 31, 2020. | .20 | 95.00 |
| 04/16/20 | SDF | Confer with J. Raymond regarding Debtor's avoidance action against Orion Interiors and related matters. | .20 | 95.00 |
| 04/16/20 | SDF | Telephone call from M. Stoma, Esq. regarding subcontractor legal malpractice claim for construction lien. | .40 | 190.00 |
| 04/16/20 | SDF | Review filed order authorizing Debtor's retention of Stark & Stark as special counsel. | .10 | 47.50 |
| 04/16/20 | SDF | Review Debtor's complaint against Orion Interiors. | .20 | 95.00 |
| 04/16/20 | SDF | Review and update schedule of pending and completed matters. | .40 | 190.00 |
| 04/16/20 | JHR | Reviewed docket and Complaint filed in matter - Hollister v. Orion Interiors. | .40 | 190.00 |
| 04/17/20 | JHR | Reviewed Orion's motion for summary judgment. Call with S. Mitnick and then with S. Della Fera re status of opposition to motion for summary judgment. | .60 | 285.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 8

| | | | | |
|----------|-----|---|-----|--------|
| 04/17/20 | SDF | Telephone call with special counsel, J. Lemkin, regarding accounts receivable collections. | .20 | 95.00 |
| 04/17/20 | SDF | Review filed order approving Debtor's settlement with Lifetown project owners and subcontractors. | .20 | 95.00 |
| 04/17/20 | SDF | Review Debtor's filed operating report for February 2020; send e-mail to EisnerAmper regarding same. | .40 | 190.00 |
| 04/17/20 | SDF | Confer with J. Raymond regarding status of summary judgment motion and opposition in Orion Interiors adversary proceeding. | .20 | 95.00 |
| 04/17/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/20/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/20/20 | LD | Prepare and e-file certificate of no objection to EisnerAmper's February 2020 monthly fee statement. | .20 | 25.00 |
| 04/20/20 | SDF | Review certification of no objection to EisnerAmper's February 2020 monthly fee statement; e-mails with EisnerAmper regarding same. | .20 | 95.00 |
| 04/21/20 | SDF | Review prebill for March 2020 monthly fee statement. | .30 | 142.50 |
| 04/21/20 | SDF | Analyze Committee's professionals' fees due to date, and aggregate carveout amount in cash collateral orders. | .70 | 332.50 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 9

| | | | | |
|----------|-----|---|-----|--------|
| 04/21/20 | SDF | Confer with J. Raymond regarding litigation against Orion Interiors, summary judgment motion, and opposition. | .20 | 95.00 |
| 04/21/20 | SDF | E-mails with Debtor's counsel. | .20 | 95.00 |
| 04/21/20 | SDF | Review Debtor's application and proposed order for approval of first amendment to amended settlement stipulation with Veterans Road Project Owner and certain subcontractors. | .30 | 142.50 |
| 04/21/20 | SDF | Review e-mail to court from Debtor's counsel regarding proposed stipulation amending Veterans Road settlement. | .10 | 47.50 |
| 04/21/20 | JHR | Reviewed Motion for Summary Judgment by Orion and Opposition by Hollister. | .80 | 380.00 |
| 04/22/20 | SDF | E-mails with EisnerAmper regarding March 2020 monthly fee statement; review statement and prepare for filing. | .30 | 142.50 |
| 04/22/20 | SDF | Review filed order approving Debtor's first amendment to amended settlement stipulation with Veterans Road Project Owner and subcontractor. | .10 | 47.50 |
| 04/22/20 | SDF | Calls and e-mails with Debtor's counsel regarding matters scheduled for hearing tomorrow and cash collateral issues. | .30 | 142.50 |
| 04/22/20 | SDF | Confer with J. Raymond regarding hearing tomorrow and other pending matters. | .30 | 142.50 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 10

| | | | | |
|----------|-----|---|-----|--------|
| 04/22/20 | SDF | Review firm's March 2020 filed monthly fee statement. | .20 | 95.00 |
| 04/22/20 | SDF | Review court's notices of adjournment of hearings on Herc Rentals' motion for administrative claim and Debtor's motion to reject Verizon contract. | .20 | 95.00 |
| 04/22/20 | SDF | Review Debtor's filed agenda for hearing tomorrow. | .20 | 95.00 |
| 04/22/20 | LD | E-file EisnerAmper's monthly fee statement for March 2020. | .10 | 12.50 |
| 04/22/20 | LD | Prepare and e-file MSB's monthly fee statement for March 2020. | .20 | 25.00 |
| 04/22/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/22/20 | SDF | Review e-mail from K. Rosen regarding extension of B. Katz's scope of services; send e-mail to EisnerAmper regarding same. | .20 | 95.00 |
| 04/22/20 | SDF | Review proposed form of sixteenth interim cash collateral order and budget from Debtor's counsel; e-mails with EisnerAmper regarding same. | .50 | 237.50 |
| 04/22/20 | JHR | With S Della Fera re pending motions, cash collateral hearing, carve out for professional fees and status of settlement and possible liquidating plan | .40 | 190.00 |
| 04/22/20 | JHR | Review of hearing agenda and pleading in advance of Cash Collateral hearing. | .10 | 47.50 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 11

| | | | | |
|----------|-----|---|------|--------|
| 04/23/20 | JHR | Reviewed sixteenth interim Cash Collateral Order. | .10 | 47.50 |
| 04/23/20 | JHR | Conference calls with S Della Fera and T. Calascibetta re status of Cash Collateral order and status of case and projects. | .80 | 380.00 |
| 04/23/20 | JHR | Telephonic appearance before Judge Kaplan with L Bielskie and J Kimble re Cash Collateral hearing | 1.10 | 522.50 |
| 04/23/20 | JHR | Correspondence reviewed from J. Kimble re Cash collateral order and possible confrence call to discuss payment of professional fees. Correspondence to S Della Fera and T. Calacibetta re follow up on cash collateral hearing. | .40 | 190.00 |
| 04/23/20 | SBP | Update chart with motions and applications | .20 | 55.00 |
| 04/23/20 | SDF | Review e-mail from L. Bielskie regarding no objection by U.S. Trustee to proposed 16th interim cash collateral order. | .10 | 47.50 |
| 04/23/20 | SDF | Conference call with J. Raymond and EisnerAmper regarding proposed cash collateral order, budget, carveout, and expanded Katz analysis. | .70 | 332.50 |
| 04/23/20 | SDF | E-mails with Debtor's counsel and others regarding Debtor's proposed final form of sixteenth interim cash collateral order; call to discuss payment of fees. | .40 | 190.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 12

| | | | | |
|----------|-----|--|-----|--------|
| 04/23/20 | SDF | Confer with J. Raymond regarding hearing today and next steps, status of preference actions and demands; review e-mail from J. Raymond regarding same. | .30 | 142.50 |
| 04/23/20 | SDF | Follow-up call with J. Raymond and EisnerAmper regarding hearing today, professional fees due, and related matters. | .40 | 190.00 |
| 04/23/20 | JHR | Calls with S Della Fera and with S Mitnick re status of preference actions and cash collateral and payment of professional fees. | .40 | 190.00 |
| 04/24/20 | SDF | Review filed sixteenth interim cash collateral order. | .10 | 47.50 |
| 04/24/20 | SDF | Review e-mail from A. Calascibetta regarding summary of EisnerAmper fees and expenses through March 31, 2020. | .20 | 95.00 |
| 04/24/20 | SDF | Review Debtor's application to approve settlement with Wagner College and related e-mails to court from Debtor's counsel. | .40 | 190.00 |
| 04/24/20 | SDF | Review filed order approving Debtor's settlement agreement with Wagner College. | .10 | 47.50 |
| 04/24/20 | SDF | Review and analyze e-mail from Debtor's counsel regarding settlement agreement between non-debtor affiliate of Debtor and Arch Insurance. | .30 | 142.50 |
| 04/24/20 | SDF | Review and revise schedule of pending and completed deadlines and motions. | .40 | 190.00 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 13

| | | | | |
|----------|-----|--|-----|--------|
| 04/24/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/27/20 | SDF | Review Rule 2004 subpoena from Appliance Brokers to Energy Capital Partners Management; confer with J. Raymond regarding same. | .40 | 190.00 |
| 04/27/20 | SDF | Review and reply to e-mail from S. Mitnick regarding avoidance actions status and additional claims information; confer with J. Raymond regarding same. | .30 | 142.50 |
| 04/27/20 | SDF | Telephone clal with B> Katz regarding ongoing and expanded investigations and related matters. | .30 | 142.50 |
| 04/27/20 | JHR | Reviewed Rule 2004 Examination Notice issued for service upon third party Energy Capital Partners Management, LP | .10 | 47.50 |
| 04/27/20 | JHR | From and to. S Mitnick re production of information on preference claim status. | .10 | 47.50 |
| 04/29/20 | JHR | Reviewed status of Rule 2004 Examination Notice issued for service upon third party Energy Capital Partners. Reviewed status of conference call to discuss payment of professional fees. Reviewed status of preferrence demands. | .30 | 142.50 |
| 04/29/20 | SDF | E-mails with counsel for Debtor and PNC Bank regarding discussion of updated legal fees; e-mails with A. Calascibetta regarding same. | .30 | 142.50 |



CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 14

| | | | | |
|----------|-----|--|-----|--------|
| 04/29/20 | SDF | E-mails with J. Raymond and counsel for Appliance Brokers regarding Rule 2005 subpoena to ECP. | .20 | 95.00 |
| 04/29/20 | SDF | Review Debtor's filed revision to certain terms of amended independent manager agreement. | .20 | 95.00 |
| 04/29/20 | SDF | Review Debtor's filed agenda for hearing tomorrow. | .20 | 95.00 |
| 04/29/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/30/20 | SBP | Update chart with motions and applications | .10 | 27.50 |
| 04/30/20 | SDF | Appear telephonically at hearing today. | .20 | 95.00 |
| 04/30/20 | SDF | Confer with J. Raymond regarding Rule 2004 subpoena to Debtor from Appliance Brokers. | .20 | 95.00 |
| 04/30/20 | SDF | Send e-mail to Committee regarding status and revision to Debtor's independent management agreement. | .40 | 190.00 |
| 04/30/20 | SDF | Review and revise schedule of pending and completed deadlines and motions. | .40 | 190.00 |
| 04/30/20 | SDF | Send e-mail to S. Mitnick regarding status of disclosure of avoidance action information. | .10 | 47.50 |
| 04/30/20 | JHR | Call with R. Suriano and C. Sorano re Appliance Brokers subpoena | .20 | 95.00 |

TOTAL FEES: 38.60 17735.00



McMANIMON • SCOTLAND • BAUMANN

75 Livingston Avenue, Roseland, NJ 07068 (973) 622-1800

CREDITORS' COMMITTEE - HOLLISTER CONSTRUCTION SE May 20, 2020 PAGE 15

| DATE | CODE | DESCRIPTION | AMOUNT |
|---------------------|------------------------|---|--------|
| 04/30/20 | Inside Duplicating | | 47.60 |
| 04/03/20 | Miscellaneous Expenses | Miscellaneous Expenses-Court Call | 50.00 |
| 04/23/20 | Miscellaneous Expenses | Miscellaneous Expenses-CourtSolutions LLC | 50.00 |
| 04/27/20 | PACER | PACER- 1st Quarter Pacer | 43.70 |
| 04/30/20 | Miscellaneous Expenses | Miscellaneous Expenses-Court Solutions | 50.00 |
| TOTAL DISBURSEMENTS | | | 241.30 |